

Richard LiPuma
270 Cardinal Avenue
Loveland, Colorado 80537



970-980-1938
rich@rlipuma.com

August 15, 2023

Via Email: MEMF Chambers@cacd.uscourts.gov

Hon. Maame Ewusi-Mensan Frimpong
United States District Court
Central District of California

Re: United States vs Barzman, Case Number CR 2:23-cr-00169-MEMF
Victim Impact Statement and Claim for Restitution

Dear Judge Ewusi-Mensan Frimpong:

I am a victim of Michael Barzman's crimes. I apologize for contacting you in chambers, but until this afternoon I was not made aware of any proceedings in this matter, or my right to submit a victim impact statement or claim for restitution. I only learned of these proceedings when a former client sent me (just now) a copy of a victim impact statement submitted to you by Pierce O'Donnell and the Basquiat Venice Investment Group (the "BVG Victim Impact Statement"). I understand that proceedings are currently scheduled for August 18, so notification to you of my claim seems like an emergency under the circumstances. Unfortunately, the BVG Victim Impact Statement does not contain a certificate of service or other information identifying the participating counsel. I will be happy to formally submit a victim impact statement and claim for restitution if I can get a little guidance on the proper way to proceed.

I am a Colorado attorney and former Manager of MJL Family Trust, LLC, the Colorado limited liability company that owns the "19 Paintings" and the Poem referred to frequently in the BVG Victim Impact Statement. I would join in the BVG Victim Impact Statement to the extent it seeks a postponement of sentencing and a right to be heard on my claim for restitution. I do so for different reasons. BVG still seems interested in proving that the subject paintings are not forgeries, but were actually painted by Basquiat *i.e.*, that Barzman lied when he said the paintings were forgeries. If that is the case, then my claims, too, will reach into the millions of dollars.

Even assuming that Barzman truthfully admitted that he participated in forging the subject paintings, his fraudulent representations and omissions (directed to me) caused substantial financial loss. In my investigations concerning the paintings, I contacted Mr. Barzman on several occasions, by telephone and by email. He falsely swore in an affidavit that the subject paintings had been owned by Thad Mumford, and then he wrongfully withheld

Hon. Maame Ewusi-Mensan Frimpong
August 15, 2023
Page Two

information from me, knowing that I was relying on his statements and representations in attempting to authenticate and sell the paintings.

Relying on Mr. Barzman's statements, I retained the preeminent expert on Basquiat authentication, Diego Cortez, paying \$10,000 from my own pocket for that purpose. Mr. Cortez certified in writing that the paintings were made by Basquiat. Even after I obtained the written certifications of authenticity from Diego Cortez, I again contacted Barzman and he again withheld his knowledge of the forgeries (if, indeed, the paintings were forged). Relying in part on his statements and omissions (and relying in part on Mr. Cortez's written certifications of authenticity, the opinions of other experts, and representations made to me by the Orlando Museum of Art about the quality and authenticity of the works) I worked tirelessly to arrange an exhibition of the paintings in Orlando. Again, I laid out over \$20,000 more in costs, and I committed hundreds of thousands of dollars in hourly billings that have gone unpaid. While the unpaid hours may be remote for restitution purposes, I wish to submit a claim for restitution in the amount of my out-of-pocket costs incurred because of Barzman's fraud.

Will you please consider postponing the sentencing hearing, and advising counsel for both sides that I wish to assert a claim for restitution? If my claim is allowed to proceed, let me know whom I should contact to discuss further proceedings. Thank you for your consideration.

Very truly yours,

/s/ Richard LiPuma

Richard LiPuma

/rtl

c: Pierce O'Donnell and his attorney, Thomas Nolan